Mr. B. Srinivasa Rao (Bowringpet Taluk).—

Q.—17. Will the Government be pleased to state:—

(*a*) (i) What were the conditions that were made by the Kolar District Board while levying railway cess in 1912; (ii) and to what extent and for how many years it was decided to continue the levy on the raiyats?

(*b*) Whether the raiyats were consulted at the time of instituting the railway cess?

(*c*) (i) What is the amount of loan that the District Board have raised for the railways; (ii) and how much they have repaid; (iii) what amount of loan is outstanding against the Board at the end of the year 1932-33, both principal and interest being shown separately?

(*d*) (i) What amount of railway cess has been recovered (to be given *salwar*) from the beginning up to the end of 1932-33, (ii) and how it was spent?

(*e*) (i) What is the extent of capital contributed by the District Board, and (ii) what is the total profit realised so far by the railway undertaking?

Secretary to Government, Development Department.—

A.—17. (*a*) (i) None.

(ii) The tax was first ordered to be levied at 6 pies in the rupee on all items of revenue on which local cess was levied and the rate was later reduced to 3 pies in the rupee. No period of time has been fixed for the levy.

(*b*) No, but the District Board was consulted.

(*c*) (i) Rs. 4,48,800.

(ii) Rs. 69,500.

(iii) Principal Rs. 3,79,300; interest about Rs. 10,379.

(*d*) (i) Rs. 12,67,311; *salwar* particulars are not readily available.

(ii) It was spent on the following items:—

Capital outlay for the construction of Kolar District Board Railway, interest on Debenture Loan, redemption of Bonds, investments for redemption of Debenture Loans and other miscellaneous items.

(*e*) (i) Rs. 13,45,437.

(ii) To end of 1932-33 in the shape of guaranteed interest on debentures Rs. 3,44,441, surplus profits Rs. 2,15,425.

Supplementary Questions and Answers.

Mr. B. Srinivasa Rao.—

The District Board has already paid Rs. 13,45,437 towards the loan and interest. And as against a liability of about Rs. 8 lakhs due for payment, there are investments to the extent of more than that amount. Such being the case, why should Government insist on a continuance of the levy of railway cess?

Secretary to Government, Development Department.—

Railway cess is not meant only for the purpose of repaying the debenture loan.

Mr. B. Srinivasa Rao.—

The Dewan was once pleased to say on the floor of this House that the cess was meant for repaying the loan and that after 2 or 3 years it would be abolished. That time having elapsed, do not the Government consider that the levy of the cess should be discontinued?

Secretary to Government, Development Department.—

The cess is also meant to be utilised for future railway developments.

Mr. B. Srinivasa Rao.—

In case it is found on verification that the cess was meant only for the Kolar District Board Railway, will it be discontinued hereafter at least?

Secretary to Government, Development Department.—

I cannot answer such a hypothetical question. At the time of reducing the cess from six pies to three pies, the matter was fully gone into and the continuance of the cess was ordered only after a due consideration of all the aspects of the question.

Mr. B. Srinivasa Rao.—

What are all the "other miscellaneous items" referred to in the answer to (*d*) (ii)?

Secretary to Government, Development Department.—

It comprises items like commission, income-tax on railway earnings, interest on over-draft, the loss incurred in selling Government of India securities, etc.

Mr. B. Srinivasa Rao.—

Are not all those items deducted before determining the railway earnings?

Secretary to Government, Development Department.—

Cess receipts and railway earnings are taken together.

Mr. B. Srinivasa Rao.—

Are any other items included in the head "other miscellaneous items"?

Secretary to Government, Development Department.—

No.

Mr. B. Srinivasa Rao.—

How much of it is still available?

Secretary to Government, Development Department.—

Notice.

Mr. B. Srinivasa Rao.—

Are these accounts received from the District Board or the Railway Department?

Secretary to Government, Development Department.—

From both and from the Comptroller also.

Mr. H. Krishnamurthy Achar.—

With reference to answer to (*a*) (i), may I ask if there was any agreement between the Government and the District Board before the cess was imposed? If so, what were all the conditions?

Secretary to Government, Development Department.—

Notice.

Mr. H. Krishnamurthy Achar.—

When are you going to abolish the cess?

Secretary to Government, Development Department.—

The matter is under consideration.

Mr. H. Krishnamurthy Achar.—

Is it under contemplation to extend the railway line?

Secretary to Government, Development Department.—

Some schemes are under the consideration of the Railway Department but they may not be taken up for the present, until the trade conditions improve.

Mr. H. Krishnamurthy Achar.—

Was there not a proposal to extend the line to Mulbagal, and were not materials also collected for it?

Secretary to Government, Development Department.—

Notice.

Mr. Bagamane Deva Gowda.—

Was it not the opinion of experts that the extension of the line would not pay and did not Government also agree to it?

Secretary to Government, Development Department.—

That is the view at present.

Mr. Bagamane Deva Gowda.—

Then, why not suspend the cess if the amount at the credit of the cess fund is enough for executing any work, till the extension of the line is decided upon?

Secretary to Government, Development Department.—

The matter is under consideration.

Mr. Bagamane Deva Gowda.—

Is it not desirable to abolish the cess in view of the economic condition of the district as a whole?

Secretary to Government, Development Department.—

The cess is meant to improve the economic condition.

Mr. Bagamane Deva Gowda.—

By abolishing the cess, will you not be giving some immediate relief to the raiyats? In this view, will Government expedite their orders in the matter?

Secretary to Government, Development Department.—

As I said already, the matter is under consideration.

Mr. S. Venkatasami Gowda.—

Would it be possible to abolish it with effect from the next official year?

Secretary to Government, Development Department.—

I cannot say. After the matter is fully considered, orders will be passed.

Mr. S. Venkatasami Gowda.—

Will Government be put to any difficulty by abolishing it?

Secretary to Government, Development Department.—

Government will neither benefit nor lose by it. It is meant for the benefit of the people.

Mr. S. Venkatasami Gowda.—

Has not the District Board represented that the people are put to considerable difficulty on account of the cess?

Secretary to Government, Development Department.—

That is what some members say.

Mr. S. Venkatasami Gowda.—

Why not give weight to that opinion?

Secretary to Government, Development Department.—

As already stated, the matter is under consideration.

Mr. K. Chengalaraya Reddy.—

Apart from repaying the debenture loan, have not the cess collections been spent on capital works?

Secretary to Government, Development Department.—

Yes. Originally, the loan contemplated was Rs. 8 lakhs. Instead of that, they raised only Rs. 4 lakhs and spent the balance from cess collections.

Mr. K. Chengalaraya Reddy.—

Is it not a fact that the District Board have investments to the extent of nearly Rs. 3½ lakhs which are meant for liquidating the debt?

Secretary to Government, Development Department.—

Yes.

Mr. K. Chengalaraya Reddy.—

Have not the Government guaranteed interest on the loan?

Secretary to Government, Development Department.—

Yes, and budget provision has also been made for it.

Mr. K. Chengalaraya Reddy.—

With the interest due to end of next year *plus* the Kolar Municipality's contribution of Rs. 10,000 and the current funds, can we not easily repay the entire debenture loan by the end of 1933-34? If so, is there any need to collect further cess for liquidating the loan?

Secretary to Government, Development Department.—

The whole matter is under consideration.

Mr. K. Chengalaraya Reddy.—

For the past 10 or 20 years, what is the average expenditure on capital works? And on that basis, what may be the amount required for such works in future years?

Secretary to Government, Development Department.—

We cannot proceed on averages in regard to such matters. Every time a capital work is contemplated, the cost will have to be worked out afresh.

Mr. K. Chengalaraya Reddy.—

Even if rolling stock is necessary, is there not enough money available?

Secretary to Government, Development Department.—

But some improvements may become necessary besides the rolling stock and that aspect has also to be taken into consideration.

Mr. K. Chengalaraya Reddy.—

At that rate, the railway cess can never be abolished.

Secretary to Government, Development Department.—

Perhaps there is no room for such an apprehension.

Mr. K. Chengalaraya Reddy.—

Has not the matter been under consideration for very long?

Secretary to Government, Development Department.—

The District Board's resolution was received only in January and the matter is likely to be disposed of as early as possible.

GOVERNMENT BUSINESS—(*Concluded*).

IV. The Mysore Extradition Bill—(*concld.*).

Khan Bahadur MAHOMED ABBAS KHAN explained that under the existing law, whenever a warrant was issued by a British Indian Magistrate for the surrender of a fugitive criminal, it had to be acted upon by the Mysore Magistrate as if it were a warrant issued by himself, and the fugitive surrendered. This practice was automatically going on for a long time, but there was no guarantee that all the offences for which warrants were issued from British India were extraditable either under the British Indian law or under the law in Mysore. It was not known whether the Mysore Government knew all the places where such warrants had been executed within the State. In a recent case which went up before the Full Bench of the High Court of Mysore, it was held that the British Indian Magistrate's warrant was not in accordance with the law and that in such ordinary cases, the Mysore Magistrates need not execute the warrants issued by the British Indian Magistrates. To give effect to that decision and remove anomalies and inconveniences resulting from the present procedure, the Bill under discussion had been brought up.

Under the proposed arrangement, the British Indian authorities would have to apply to the Mysore Government for the surrender of a fugitive criminal, and before surrendering him, the Mysore Government should satisfy themselves that a *prima facie* case had been made out in favour of the surrender. For this purpose, the nature of the offences, which alone would come under extraditable offences, was proposed to be defined. If the Government thought that a particular application for the surrender of a fugitive was in respect of a serious enough offence, they would forward the application to the District Magistrate who would hold an